

Application Serial No.: 10/758,722

RESTRICTION PRESENTED

The claims have been restricted into the following groups of inventions:

<u>Groups</u>	<u>Claims</u>	<u>Subject Matter</u>
I	1-15, 17	A DNA construct comprising at least one therapeutic gene under the control of the WAP or MMTV regulatory sequences, a recombinant viral or plasmid vector as said DNA construct, a recombinant retroviral particle produced by culturing a packaging cell line harbouring a retroviral vector construct, a human cell containing said retroviral provirus, and a cell line containing a construct for the treatment of diseases or disorders of human mammary cells.
II	16	A packaging cell line harbouring a retroviral vector construct according to claim 6 and one or more construct coding for the protein required for the genome of said retroviral vector to be packaged.
III	18, 19 and 40	Encapsulated cells comprising a core containing cells and a porous capsule wall, and a method for treatment of human mammary carcinoma comprising implanting said encapsulated cells into a human.
IV	20 and 21	A DNA construct according to claim 1 or the recombinant viral particle according to claim 12 for the preparation of medicament for the treatment of disorders or diseases of human mammary cells.
V	23, 24, 37 and 38	A pharmaceutical composition comprising the DNA construct according to claim 1 or the recombinant retroviral particle according to claim 12, and a method for the treatment of human mammary carcinoma by using said DNA construct or said recombinant retroviral particle.

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VI	22	The use of cells according to claim 15 for the preparation of a medicament for the treatment of disorders or diseases of human mammary cells.
VII	25, 39	A pharmaceutical composition comprising the cells according to claim 15, and a method for the treatment of human mammary carcinoma by using said cells.
VIII	26-36	The use of the WAP or MMTV regulatory sequences for the expression of linked therapeutic genes in human mammary cells.

APPLICANTS' ELECTION

Applicants hereby elect the invention of Group I, claims 1-15 and 17, drawn to a DNA construct comprising at least one therapeutic gene under the control of the WAP or MMTV regulatory sequences, a recombinant viral or plasmid vector as said DNA construct, a recombinant retroviral particle produced by culturing a packaging cell line harbouring a retroviral vector construct, a human cell containing said retroviral provirus, and a cell line containing a construct for the treatment of diseases or disorders of human mammary cells, for prosecution at this time.

REMARKS

Claims 1-40 are now pending in the subject U.S. patent application. Claims 1-40 as filed have been subjected to a Restriction/Election Requirement.

In response to the Restriction/Election Requirement, applicants have elected the claims of Group I, claims 1-15 and 17, for prosecution at this time.

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Applicants hereby reserve the right to file one or more divisional patent applications directed to the unelected subject matter.

CONCLUSIONS

Should there be any minor issues outstanding in this matter, the Examiner is respectfully requested to telephone the undersigned attorney. Early passage of the subject application to issue is earnestly solicited.

DEPOSIT ACCOUNT

The Commissioner is hereby authorized to charge any fees associated with the filing of this correspondence to Deposit Account Number 50-0426.

Respectfully submitted,

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